

Exhibit C

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARBARA BROUGHEL

Plaintiff,

v.

THE BATTERY CONSERVANCY,
AND WARRIE PRICE

Defendants.

Index No. 07CV7755
Judge Daniels

**PLAINTIFF'S INITIAL
DISCLOSURES UNDER
FED. R. OF CIV. P. 26(a)(1)**

Plaintiff Barbara Broughel submits the following in accordance with Federal Rule of Civil Procedure 26(a).

1. Initial Disclosures:

(A) the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information;

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David ? (Pat Kirshner's assistant)
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James Lehner
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Kathy Mayhew
Scenic Technologies
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Bill Klopping (plastics consultant to Scenic Technologies)
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cell: 607 287-0328

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718 797-4561

Elliot Schwartz (fabricators, 2nd prototype)
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BJ (EIS assistant assigned to my project)
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718 797-4561

Mario Noto (skin samples and plastic fabricator for 2nd prototype and chandelier)
Fine Art Acrylics
10-06 38th Avenue
LIC, NY 11101
718 937-1977

Dr. Raymond Peters (ocularist for 2nd prototype)
5633 Strand Blvd, Suite 308
Naples, FL 34109
239-8486
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(B) a copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment;

- (1) correspondence
- (2) invoices and receipts

- (3) schedule of hourly rate
- (4) list of property to be returned to Plaintiff (Conservancy)
- (5) Plaintiff's copyrighted images (Plaintiff)
- (6) images of the conceptual design (Conservancy website)
- (7) models, drawings and designs created by Plaintiff

(C) a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered;

- (1) copyright damages for willful infringement
- (2) damages for breach of contract including injury to reputation, loss of profits
- (3) breach of implied covenant of good faith and fair dealing
- (4) compensation for Plaintiff's invoiced services in an amount of approximately \$50,000
- (5) intentional or negligent infliction of emotional distress

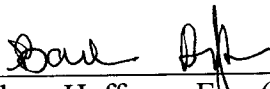
(D) for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or

all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

No insurance.

Dated: New York, New York
November 20, 2007

Respectfully submitted,

By: 
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Attorney for Plaintiff Barbara Broughel